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Attorney for Plaintiffs,
DANNY MORRIS
LYNDA MORRIS

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

DANNY MORRIS, an individual, and LYNDA
MORRIS, an individual;

Plaintiff,

v.

SELECT PORTFOLIO SERVICING INC;
CLEAR RECON CORP; and WELLS FARGO
BANK, N.A., AS TRUSTEE FOR THE WAMU
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-PR1; and
DOES 1-50, inclusive,

Defendants.

Case No.: 8:23-cv-01926

**DECLARATION OF DANNY MORRIS
IN SUPPORT OF EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER**

Date: October 16, 2023

1 I, DANNY MORRIS, declare and state:

2 1. I am the named Plaintiff in the above-entitled action. I have personal knowledge of the
3 following facts and, if called as a witness I could, and would, competently testify as to our
4 veracity.

5 2. My wife LYNDA MORRIS, and I at all relevant times, own the Property located at 11562
6 MAC DUFF STREET, GARDEN GROVE, CA 92841. The Property is a single-family home and
7 has served as our primary residence for the times mentioned herein.

8 3. My property rental business was brought to a screeching halt during COVID which caused
9 me financial hardship due to not being able to collect rent from our tenants.

10 4. I had a series of medical issues which led to me having approximately eight surgeries
11 from 2020 until present day, with the most recent one taking place on October 2, 2023.

12 5. Our financial hardship from our COVID business slow down and my medical issues led
13 us to fall behind on our mortgage on or around October 2020.

14 6. On June 29, 2022, Defendant CLEAR RECON caused a Notice of Default to be recorded
15 with the Orange County Recorder's Office document number 2022000231556. The Notice of
16 Default indicated that we were in \$40,356.57 of arrears. A true and correct copy of the Notice of
17 Default is attached as **Exhibit A**.

18 7. In late 2022, we reached out to Defendant SPS to inquire about forbearance of the arrears
19 and to resume making our monthly payments. we were then reviewed over the phone for our
20 forbearance request and instructed to make six payments monthly payments.

21 8. We never received paperwork for a forbearance agreement after the over the phone
22 review.

23 9. We made nine monthly payments beginning in August 2022 and ending in May 2023.

24 10. In May 2023, Defendant SPS refused to take monthly payments from us and instructed us
25 to submit a Mortgage Assistance Application with all accompanying documents to determine our
26 eligibility for our requested forbearance.

27 11. In May of 2023, we submitted a Mortgage Assistance Application with all accompanying
28 documents as Defendant SPS requested.

1 12. Since we turned in our Mortgage Assistance Application, we have been diligently
2 providing Defendant SPS updated documents, but Defendant SPS would constantly ask us for
3 previously submitted documents.

4 13. Defendant CLEAR RECON caused a Notice of Trustee's Sale to be recorded with the
5 Orange County Recorder's Office document number 2023000130573. The Notice of Trustee's
6 Sale indicates the unpaid principal balance and costs to be \$292,613.33, with a sale date for July
7 24, 2023. The sale has been postponed to October 16, 2023. A true and correct copy of the
8 Notice of Trustee's Sale is attached as **Exhibit B**.

9 14. Defendant SPS would constantly ask for renewed documents months after We submitted
10 them on the basis that the documents go stale after 90 days, causing us to resubmit bank
11 statements on over three occasions while dealing with his multiple surgeries.

12 15. Defendant SPS would also not give us reasonable time to turn in necessary documents.
13 For example, Defendant SPS sent a letter dated September 13, 2023, requesting additional
14 documentation for rental income. Then Defendant SPS sent another letter dated two days later
15 September 15, 2023, stating, "SPS did not receive the required documents within the timeline
16 specified. As such, we did not evaluate this account for loss mitigation and have closed this
17 request for review." Two days is not a reasonable amount of time for us to provide the requested
18 documentation. True and correct copies of the letters dated September 13, 2023, and the
19 September 15, 2023, are attached as **Exhibit C**.

20 16. We have yet to be evaluated for a forbearance agreement or any other loss mitigation
21 options, despite having turned in all documents requested by Defendant SPS.

22 17. Defendant SPS has made us jump through hoops by making multiple requests for the
23 same documents, asking us to make insignificant alterations to submitted documents, and making
24 requests with unreasonably fast turnaround times. Even with us complying with Defendant SPS'
25 requests, Defendant SPS refuses to evaluate us for loss mitigation options.

26 18. Despite our pending complete loan modification application, we are in imminent danger
27 of losing our home at the Trustee's Sale scheduled for October 16, 2023.
28

1 19. We turned in our complete application at least five business days before the scheduled
2 Trustee's Sale set for October 16, 2023.

3 20. We have an open loan modification application that have yet to receive a decision with a
4 pending Trustee's Sale date for October 16, 2023, at 9:00 am. We are in imminent danger of
5 losing our home of over 30 years.

6 21. If this TRO is not granted, we stand to have our home foreclosed on at a Trustee's Sale
7 scheduled for October 16, 2023, at 9:00 am.

8
9 I declare under penalty of perjury that the foregoing is true. Executed August 16, 2023, in
10 Garden Grove, California.

11 

12 _____
DANNY MORRIS

Exhibit A

Recorded in Official Records, Orange County

Hugh Nguyen, Clerk-Recorder



94.00

* \$ R 0 0 1 3 8 2 1 0 6 1 \$ *

2022000231556 1:32 pm 06/29/22

65 RW10A N15 4

0.00 0.00 0.00 0.00 9.00 0.00 0.000.0075.00 3.00

RECORDING REQUESTED BY:

Clear Recon Corp

WHEN RECORDED MAIL TO:

Clear Recon Corp

4375 Jutland Drive

San Diego, California 92117

866-931-0036

T.S. No.: 101397-CA

APN: 132-273-21

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Property Address: 11562 MAC DUFF ST,
GARDEN GROVE, CA 92841

Title Order No.: 220319684-CA-VOI

NOTICE OF DEFAULT

Pursuant to CA Civil Code 2923.3

**NOTE: THERE IS A SUMMARY OF THE INFORMATION IN THIS DOCUMENT
ATTACHED**

注：本文件包含一个信息摘要

참고사항: 본 첨부 문서에 정보 요약서가 있습니다

NOTA: SE ADJUNTA UN RESUMEN DE LA INFORMACIÓN DE ESTE DOCUMENTO

**TALA: MAYROONG BUOD NG IMPORMASYON SA DOKUMENTONG ITO NA
NAKALAKIP**

**LƯU Ý: KÈM THEO ĐÂY LÀ BẢN TRÌNH BÀY TÓM LƯỢC VỀ THÔNG TIN TRONG
TÀI LIỆU NÀY**

IMPORTANT NOTICE

**IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE
BEHIND IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY
COURT ACTION, and you may have legal right to bring your account in good standing
by paying all of your past due payments plus permitted costs and expenses within the time
permitted by law for reinstatement of your account, which is normally five business days
prior to the date set for the sale of your property. No sale date may be set until
approximately 90 days from the date this notice of default may be recorded (which date of
recording appears on this notice).**

**This amount is \$40,356.57 as of 6/27/2022, and will increase until your account becomes
current. While your property is in foreclosure, you still must pay other obligations (such as
insurance and taxes) required by your note and deed of trust or mortgage. If you fail to
make future payments on the loan, pay taxes on the property, provide insurance on the
property, or pay other obligations as required in the note and deed of trust or mortgage, the
beneficiary or mortgagee may insist that you do so in order to reinstate your account in**

Trustee Sale No.: 101397-CA Title Order No.: 220319684-CA-VOI

good standing. In addition, the beneficiary or mortgagee may require as a condition of reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than three months after this notice of default is recorded) to, among other things, (1) provide additional time in which to cure the default by transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of your property by paying the entire amount demanded by your creditor. To find out the amount you must pay, or to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact:

WELLS FARGO BANK, N.A., AS TRUSTEE FOR THE WAMU MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-PR1

C/O Clear Recon Corp

4375 Jutland Drive

San Diego, California 92117

Phone: (858) 750-7777

If you have any questions, you should contact a lawyer or the governmental agency which may have insured your loan. Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure. Remember, **YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.**

NOTICE IS HEREBY GIVEN: CLEAR RECON CORP is either the original trustee, the duly appointed substituted trustee or the designated agent of the holder of the beneficial interest under a deed of trust dated 12/17/2004, executed by DANNY MORRIS AND LYNDIA C. MORRIS, HUSBAND AND WIFE AS JOINT TENANTS, as Trustor, to secure certain obligations in favor of the beneficiary thereunder, recorded 12/23/2004, as Instrument No. 2004001137726, the subject Deed of Trust was modified by Loan Modification recorded on 12/21/2016 as Instrument 2016000647785. of Official Records in the Office of the Recorder of Orange County, California, encumbering the land as fully described as:

MORE ACCURATELY DESCRIBED IN SAID DEED OF TRUST.

Trustee Sale No.: 101397-CA Title Order No.: 220319684-CA-VOI

That a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of:

Installment of Principal and Interest plus impounds and/or advances which became due on 4/1/2020 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable.

That by reason thereof, WELLS FARGO BANK, N.A., AS TRUSTEE FOR THE WAMU MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-PR1, the present beneficiary under such Deed of Trust has deposited with said trustee such Deed of Trust and all documents evidencing obligations secured thereby and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

CLEAR RECON CORP

Date Executed: 6/27/2022

BY: _____


EDWARD JAMIR
FORECLOSURE MANAGER

Authorized Signatory for Trustee
CLEAR RECON CORP
4375 Jutland Drive
San Diego, California 92117

See Attached Declaration

CALIFORNIA DECLARATION OF COMPLIANCE
(CAL.CIV.CODE § 2923.55(c))

Loan Number: [REDACTED]

Borrower Name: DANNY MORRIS, LYNDIA C MORRIS

Address: 11562 MAC DUFF ST, GARDEN GROVE, CA 92841

Beneficiary: Wells Fargo Bank, N.A., as Trustee for the WaMu Mortgage Pass-Through Certificates,
Series 2005-PR1

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that:

- 1) ☐ On _____ contact was made with the borrower to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure as required by California Civil Code § 2923.55(b)(2).
- 2) ☒ On 10/14/2021 the due diligence efforts were satisfied. No contact was made with the borrower despite the due diligence of beneficiary or their authorized agent pursuant to California Civil Code § 2923.55(f).
- 3) ☐ The borrower has surrendered the secured property as evidenced by a letter confirming the surrender or by delivery of the keys to the secured property to the beneficiary, their authorized agent or the trustee pursuant to California Civil Code §2920.5(c).
- 4) ☐ The beneficiary or their authorized agent has confirmed that the borrower(s) filed for bankruptcy and the proceedings have not been finalized to wit, there is no order on the court's docket closing or dismissing the bankruptcy case pursuant to California Civil Code §2920.5(c).
- 5) ☐ The provisions of California Civil Code §2923.5 do not apply because the property is not tenant or owner occupied as defined by California Civil Code §2924.15.

The undersigned instructs the trustee to proceed with non-judicial foreclosure proceedings and expressly authorizes the trustee or their authorized agent to sign the notice of default containing the declaration re: contact required pursuant to California Civil Code §2923.55.

Dated: February 28, 2022

By: Cora Allen

Select Portfolio Servicing, Inc. as authorized agent of Beneficiary

Exhibit B

Recorded in Official Records, Orange County

Hugh Nguyen, Clerk-Recorder



88.00

* \$ R 0 0 1 4 3 8 3 4 9 2 \$ *

2023000130573 10:48 am 06/02/23

399 NC-5 N34 2

0.00 0.00 0.00 0.00 3.00 0.00 0.000.0075.00 3.00

RECORDING REQUESTED BY
And When Recorded Mail To:

CLEAR RECON CORP
8880 Rio San Diego Drive, Suite 725
San Diego, California 92108
Phone: 866-931-0036

T.S. No. 101397-CA

APN: 132-273-21

Space Above This Line For Recorder's Use

NOTICE OF TRUSTEE'S SALE

Pursuant to CA Civil Code 2923.3

NOTE: THERE IS A SUMMARY OF THE INFORMATION IN THIS DOCUMENT ATTACHED

注：本文件包含一个信息摘要

참고사항: 본 첨부 문서에 정보 요약서가 있습니다

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LƯU Ý: KÈM THEO ĐÂY LÀ BẢN TRÌNH BÀY TÓM LƯỢC VỀ THÔNG TIN TRONG TÀI LIỆU NÀY

IMPORTANT NOTICE TO PROPERTY OWNER:

YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 12/17/2004. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER

On 7/24/2023 at 9:00 AM, **CLEAR RECON CORP**, as duly appointed trustee under and pursuant to Deed of Trust recorded 12/23/2004 as Instrument No. 2004001137726 the subject Deed of Trust was modified by Loan Modification recorded on 12/21/2016 as Instrument 2016000647785. of Official Records in the office of the County Recorder of Orange County, State of CALIFORNIA executed by: **DANNY MORRIS AND LYNDA C. MORRIS, HUSBAND AND WIFE AS JOINT TENANTS**

WILL SELL AT PUBLIC AUCTION TO HIGHEST BIDDER FOR CASH, CASHIER'S CHECK DRAWN ON A STATE OR NATIONAL BANK, A CHECK DRAWN BY A STATE OR FEDERAL CREDIT UNION, OR A CHECK DRAWN BY A STATE OR FEDERAL SAVINGS AND LOAN ASSOCIATION, SAVINGS ASSOCIATION, OR SAVINGS BANK SPECIFIED IN SECTION 5102 OF THE FINANCIAL CODE AND AUTHORIZED TO DO BUSINESS IN THIS STATE;

AUCTION.COM, DOUBLETREE BY HILTON HOTEL ANAHEIM - ORANGE COUNTY, 100 THE CITY DRIVE, ORANGE, CA 92868

all right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: **MORE ACCURATELY DESCRIBED IN SAID DEED OF TRUST.**

The street address and other common designation, if any, of the real property described above is purported to be: **11562 MAC DUFF ST, GARDEN GROVE, CA 92841**

The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein.

Said sale will be held, but without covenant or warranty, express or implied, regarding title, possession, condition, or encumbrances, including fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to pay the remaining principal sums of the note(s) secured by said Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is: **\$292,613.33**

T.S. No. 101397-CA

NOTICE OF TRUSTEE'S SALE

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a written Notice of Default and Election to Sell. The undersigned or its predecessor caused said Notice of Default and Election to Sell to be recorded in the county where the real property is located.

NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property.

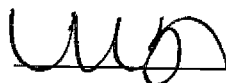
NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call (800) 280-2832 or visit this Internet Web site **WWW.AUCTION.COM**, using the file number assigned to this case 101397-CA. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale.

NOTICE TO TENANT: Effective January 1, 2021, you may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call (855) 313-3319, or visit this internet website www.clearreconcorp.com, using the file number assigned to this case 101397-CA to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase.

FOR SALES INFORMATION: (800) 280-2832

Date Executed: JUN 01 2023

CLEAR RECON CORP



Authorized Signature

MONICA CHAVEZ

CLEAR RECON CORP

8880 Rio San Diego Drive, Suite 725
San Diego, California 92108

Exhibit C



Sign up for paperless delivery
at www.spservicing.com



September 13, 2023



DANNY MORRIS
LYNDA C MORRIS
11562 MAC DUFF ST
GDN GRV, CA 92841

Account Number: 0030228688
Property Address: 11562 MAC DUFF ST
GARDEN GROVE, CA 92841

REQUIRED INFORMATION NOTICE

Dear Customer(s):

SPS is sending this to you to provide information regarding the lien on the real property referenced above. Our records indicate that your obligation has either been discharged or is subject to an automatic stay order under the United States Bankruptcy Code. This notice and any enclosed documents are for compliance and informational purposes only and do not constitute a demand for payment or an attempt to collect such obligation. Even though your personal liability on the note may be discharged or subject to an automatic stay, the terms of the mortgage remain in effect and the owner of the mortgage, as lien holder, continues to have a lien on the real property.

SPS has reviewed your Assistance Review Application request. We have reviewed the information received and have determined that the submitted documentation is insufficient or information is still needed as shown on the document attached to this letter (the "**Required Information**"). Before we can begin our evaluation process, you are required to submit a complete application. We must receive the missing Required Information immediately.

If we do not receive the Required Information, we may be unable to evaluate your application. If you have already provided the documents requested herein on or after the date of this letter, please disregard this letter.

This is an important informational notice to provide the Required Information. Time is of the essence! If your application remains incomplete, we may be unable to evaluate your application.

As noted above, in order for us to review your account for all available loss mitigation programs we require a complete application, which requires you to submit all Required Information immediately. The missing Required Information is described in the document attached to this letter. To aid in identifying your documents, should they be sent separately or get separated, please include your account number at the bottom of all pages. You may fax, email, or mail the Required Information to:



Select Portfolio Servicing, Inc.
PO Box 65250 Salt Lake City, UT 84165-0250
Fax: 866-867-3019
Email: Relationship.Manager@SPServicing.com
Website: www.spservicing.com
Overnight: Select Portfolio Servicing, Inc.
3217 S. Decker Lake Dr., Salt Lake City, UT 84119

Keep in mind that documents expire after ninety (90) days and must be resent if a complete application is not received. All documentation must be dated within the last ninety (90) days to be considered valid. Once we have received your complete application, and any necessary third party approvals, you will be evaluated for all available loss mitigation options for which you are eligible and the results will be sent to you within thirty (30) days after receipt of the complete application. This notification will provide, as applicable:

- Details of the loss mitigation program for which you are approved, including, any information on how and when you must accept the offer, which at a minimum will be 14 days.
- Names of all loss mitigation programs for which you were evaluated but not approved, including, the results of any Net Present Value (NPV) tests, if applicable.
- Information on how to appeal the denial of a modification plan, if applicable.

If you have any questions, your assigned Relationship Manager, Makalea, can be reached toll free at (888) 818-6032 x 53250 or by email at Relationship.Manager@spservicing.com.

At SPS, any of our Customer Care Experts can assist you with answers to your questions about the status or history of your account, document requirements, or any of our available loan resolution options. If you have any questions or concerns, please contact SPS. Our toll-free number is 888-818-6032 and representatives are available Monday through Friday between the hours of 8 a.m. and 9 p.m., and Saturday from 8 a.m. to 2 p.m., Eastern Time.

Notice of Error or Information Request

If you believe there has been an error with the account or you require additional information, you may send a written Notice of Error or Information Request. All Notices of Error or Information Requests must be sent in writing to the address listed below, as this is our exclusive address under Federal Law for these matters. If you send your correspondence to any other address, it may not be processed in accordance with Federal law.

Select Portfolio Servicing, Inc.
PO Box 65277 Salt Lake City, UT 84165-0277

If you would like counseling or assistance you can contact the following: U.S. Department of Housing and Urban Development. For a list of homeownership counselors or counseling organizations in your area, go to <https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm> or you can call HUD at 1-800-569-4287.

Sincerely,

Select Portfolio Servicing, Inc.

Enclosures: Required Information

Esta carta contiene información importante concerniente a sus derechos. Por favor, traduzca esta carta. Nuestros representantes bilingües están a su disposición para contestar cualquier pregunta. Llámenos al numero 800-831-0118 y seleccione/marque la opción 2.

This information is intended for informational purposes only and is not considered an attempt to collect a debt.

Required Information

Documents Received but Additional Action Required: Documents listed below have been received but have been rejected for the reasons indicated in the gray box(es).

| Documentation Type | Documentation Description |
|--------------------|---------------------------|
|--------------------|---------------------------|

| | |
|---|---|
| Rental Income | <p>For each customer (and/or non-customer whose income is used toward mortgage-related expenses) who receives rental income:</p> <ul style="list-style-type: none"> • Copies of the two (2) most recent payments evidencing receipt of income, such as a bank statement or canceled check, and • The current lease agreement for all rental properties, and • Copies of the most recent year's filed federal tax returns with all schedules, including Schedule E – Supplemental Income and Loss. Rental income for qualifying purposes will be 75% of the gross rent minus any mortgage-related expenses for the property. |
| <p><u>Action Required</u></p> <ul style="list-style-type: none"> • The verification of mortgage document received is expired. Please provide updated information. | |





Sign up for paperless delivery
at www.spservicing.com



September 15, 2023



DANNY MORRIS
LYNDA C MORRIS
11562 MAC DUFF ST
GDN GRV, CA 92841

Account Number: 0030228688
Property Address: 11562 MAC DUFF ST
GARDEN GROVE, CA 92841

Dear Customer(s):

SPS is sending this to you to provide information regarding the lien on the real property referenced above. Our records indicate that your obligation has either been discharged or is subject to an automatic stay order under the United States Bankruptcy Code. This notice and any enclosed documents are for compliance and informational purposes only and do not constitute a demand for payment or an attempt to collect such obligation. Even though your personal liability on the note may be discharged or subject to an automatic stay, the terms of the mortgage remain in effect and the owner of the mortgage, as lien holder, continues to have a lien on the real property.

SPS has completed our review of this account for the loss mitigation assistance requested. Our reviews are conducted in accordance with applicable laws and investor eligibility rules. SPS is committed to a policy of nondiscrimination in all aspects of its servicing practices.

You were sent an Assistance Review Application on 07/20/2022. This application listed all documents required from you to complete a loss mitigation application so we could evaluate your account for loss mitigation assistance. The notice clearly stated the deadline for returning these documents.

SPS did not receive the required documents within the timeline specified. As such, we did not evaluate this account for loss mitigation and have closed this request for review.

Right to Appeal

You have the right to appeal any non-approval by providing a written explanation of why you believe our determination was incorrect, along with all supporting evidence, within thirty (30) days of the date of this letter to:

Select Portfolio Servicing, Inc.
PO Box 65250 Salt Lake City, UT 84165-0250
Relationship.Manager@SPServicing.com



You have thirty (30) calendar days from the date of this notice to contact SPS to discuss the reason for non-approval. Any pending foreclosure action may continue; however, no foreclosure sale will be conducted and you will not lose your home during this 30-day period or any longer period required for us to review supplemental material you may provide in response to this notice. If a foreclosure sale has already been scheduled we will instruct our attorney to file a motion to postpone such sale. It is possible however that a court will deny the motion and the sale will proceed. If that happens we will be unable to provide loss mitigation.

You must submit a complete loss mitigation application, including all required information, at least thirty-seven (37) days prior to a scheduled foreclosure sale date for your account to be eligible for any available loss mitigation options. **Your account will not be eligible for loss mitigation if a complete loss mitigation application, including all required information, is not received prior to that time. Your application will be deemed incomplete.** However, even if you provide a complete application more than thirty-seven (37) days before a scheduled foreclosure sale date, your account may not have any available options.

If you are unsure if there is a foreclosure sale scheduled for the property in the next thirty-seven (37) days or if there are available loss mitigation options, please contact us immediately at 888-818-6032.

Notice of Error or Information Request

If you believe there has been an error with the account or you require additional information, you may send a written Notice of Error or Information Request. All Notices of Error or Information Requests must be sent in writing to the address listed below, as this is our exclusive address under Federal Law for these matters. If you send your correspondence to any other address, it may not be processed in accordance with Federal law.

Select Portfolio Servicing, Inc.
PO Box 65277 Salt Lake City, UT 84165-0277

Contact Us

If you have any questions, your assigned Relationship Manager, Makalea, can be reached toll free at (888) 818-6032 x 53250 or by email at Relationship.Manager@spservicing.com.

At SPS, any of our Customer Care Experts can assist you with answers to your questions about the status or history of your account, document requirements, or any of our available loan resolution options. If you have any questions or concerns, please contact SPS. Our toll-free number is 888-818-6032 and representatives are available Monday through Friday between the hours of 8 a.m. and 9 p.m., and Saturday from 8 a.m. to 2 p.m., Eastern Time.

If you would like counseling or assistance you can contact the following: U.S. Department of Housing and Urban Development. For a list of homeownership counselors or counseling organizations in your area, go to <https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm> or you can call HUD at 1-800-569-4287.

Sincerely,

Select Portfolio Servicing, Inc.

Esta carta contiene información importante concerniente a sus derechos. Por favor, traduzca esta carta. Nuestros representantes bilingües están a su disposición para contestar cualquier pregunta. Llámenos al numero 800-831-0118 y seleccione/marque la opción 2.

This information is intended for informational purposes only and is not considered an attempt to collect a debt.

Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, or age (provided that the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agencies that administer compliance with this law concerning this creditor is the Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552 and Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580.





Audit trail

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| Document ID | f8a51a76046789178226717f02dc3f392bb6b0fc |
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